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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,177	07/20/2001	Hans-Georg Schindler	AGFA 245-KFM MU 0010-US	1857
10037	7590	02/22/2006	EXAMINER	
MILDE & HOFFBERG, LLP 10 BANK STREET SUITE 460 WHITE PLAINS, NY 10606			EBRAHIMI DEHKORDY, SAEID	
			ART UNIT	PAPER NUMBER
			2626	

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/910,177	SCHINDLER, HANS-GEORG	
	Examiner	Art Unit	
	Saeid Ebrahimi-dehKordy	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 14 is/are rejected.
- 7) ☒ Claim(s) 8-13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/10/02, 1/4/02, 10/04</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugita et al (EP 0924558) in view of Nozaki et al (Pub.: No.: US 20020057457)

Regarding claim 1 and 14 Sugita et al disclose: A device for writing image information (note Fig.1, column 13 paragraph 0048 lines 57-58) that is assigned to several images (B1-B13) (note column 18 lines 4-8 where assigned images are A1, A2, ..) onto recording material (note column 18 lines 11-12 the photosensitive material) said device comprising in combination: (a) marking means (Fig.2 item 21, column 11 lines 18-19) for marking the recording material with marks (M1-M14) (note column 18 lines 1-4 where the mark are represented by the 22a, 22b,...) that are assigned to the several images (B1-B13) (note column 18 lines 4-6) (b) an output unit for outputting image information onto the recording material (note column 11 lines 20-23). However Sugita et al does not quite disclose: (c) a first transport means for transporting the recording material in the marking means; and (d) a second transport means for transporting the recording material in the output unit; said first transport means and the second transport means being operative such that the transport direction (T4, R4) of the recording material in the

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output unit is set independently of the transport (T3) of the recording material in the marking means. On the other hand Nozaki et al discloses:

(c) a first transport means for transporting the recording material in the marking means (note Fig.1 item 81 the roller of transporting the paper 3 from the marking, masking and exposure unit, paragraph 0059 page 4 and 5) and (d) a second transport means for transporting the recording material in the output unit (note Fig.1 item 82 for transporting the paper 3 through the printer 31 and ultimately to the developing station 50, Fig.1, paragraph 0059 page 5 lines 1-4) said first transport means and the second transport means being operative such that the transport direction (T4, R4) of the recording material in the output unit is set independently of the transport (T3) of the recording material in the marking means (note Fig.1, paragraph 0059, page 5 lines 4-11 where the movements of transport rollers 81 and 82 and positioning of linearly or upstream or downstream is done independently of each other). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Sugita et al's invention according to the teaching of Nozaki et al, where Nozaki et al in the same filed of endeavor teach the way the transport rollers are configured to work indolently of each other for the purpose of optimizing the transportation speed.

Regarding claim 2 Nozaki et al disclose: Device as set forth in claim 1, further comprising a control device connected to the first and the second transport means, for providing control signals to said first and second transport means (note column 0060 where the controller 100 is acting on rollers through item 84).

Regarding claim 3 Nozaki et al disclose: Device as set forth in claim 2, wherein said

control device separately controls the first and the second transport means (note page 4 and 5 paragraph 0059).

Regarding claim 4 Sugita et al disclose: Device as set forth in claim 1, further comprising a receiving means for receiving image data with the image information of the several images (B1-B13) (note column 17 lines 55-58 and column 18 lines 1-15).

Regarding claim 5 Sugita et al disclose: Device as set forth in claim 2, wherein the control device is connected with the output unit for providing control signals thereto (note column 20 lines 55-58 and column 21 lines 1-10).

Regarding claim 6 Sugita et al disclose: Device as set forth in claim 4, wherein the first transport means is operative such that stopping of the transport of the recording material in the marking means is carried out in dependence upon the non-reception of the image data of one of the several images (B1-B13) (note column 18 lines 57-58 and column 19 lines 1-11).

Regarding claim 7 Sugita et al disclose: Device as set forth in claim 6, wherein the first transport means is operative such that, after stopping the transport, a continuation of the transport of the recording material in the marking means is initiated in dependence upon the reception of a complete image information of that image (B13) whose image data has not been received before (note column 13 lines 45-55).

Allowable Subject Matter

3. Claims 8-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Limitation of first transport means is designed such that a stopping of the

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transport of the recording material in the marking means is carried out in dependence upon a non-reception of format information concerning the length (L13), viewed in the transport direction (T4, T3) of the recording material, of an image (B13) to be written to the recording material would be a novelty in this claim.

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(571) 273-8300, (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Knox building on 501 Dulany Street, Alexandria, VA.

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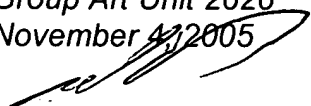
Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy

Patent Examiner

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November 4, 2005



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER